

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) CR. NO. 2:05-cr-204-C
)
 BILLY R. MERCER)

NOTICE OF INFORMATION TO ESTABLISH PRIOR CONVICTIONS

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and provides this Honorable Court and Defendant Billy R. Mercer with notice of information of a prior felony drug conviction for the purpose of increased punishment in accordance with Title 21, United States Code, Sections 841(b)(1)(A)(ii) and 851. The prior conviction is as follows:

1. The defendant was convicted of Unlawful Distribution of a Controlled Substance in the Circuit Court of Elmore County, Alabama in case number, CC-96-127. The United States will provide certified copies of the convictions prior to sentencing.

The enhancement as applied in this case requires the mandatory imposition of a 10 year imprisonment.

Respectfully submitted this 13th day of February, 2006.

LEURA G. CANARY
UNITED STATES ATTORNEY

s/Terry F. Moorer
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CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Jeffery Duffey, Esquire.

Respectfully submitted,

s/Terry F. Moorer
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